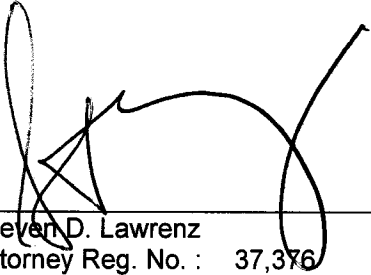


TRANSMITTAL OF APPEAL BRIEF			Docket No. 249768045US
In re Application of: Andrej Gregov			
Application No. 09/648,314-Conf. #6403	Filing Date August 25, 2000	Examiner E. P. Leroux	Group Art Unit 2161
Invention: USER-DIRECTED PRODUCT RECOMMENDATIONS			
<p style="text-align: center;"><b><u>TO THE COMMISSIONER OF PATENTS:</u></b></p> <p>Transmitted herewith is the Appeal Brief in this application, with respect to the Notice of Appeal filed: <u>February 11, 2008</u> .</p> <p>The fee for filing this Appeal Brief is <u>\$ 510.00</u> .</p> <p><input checked="" type="checkbox"/> Large Entity      <input type="checkbox"/> Small Entity</p> <p><input type="checkbox"/> A petition for extension of time is also enclosed.</p> <p>The fee for the extension of time is _____ .</p> <p><input type="checkbox"/> A check in the amount of _____ is enclosed.</p> <p><input type="checkbox"/> Charge the amount of the fee to Deposit Account No. _____ . This sheet is submitted in duplicate.</p> <p><input checked="" type="checkbox"/> Payment by EFT Account No. SEA1PIRM in the amount of \$510.00.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. <u>50-0665</u> .</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"><div style="text-align: center;"> _____ Steven D. Lawrenz Attorney Reg. No. : 37,376 PERKINS COIE LLP P.O. Box 1247 Seattle, Washington 98111-1247 (206) 359-8000</div><div style="text-align: right;">Dated: <u>March 18, 2008</u></div></div>			

Docket No.: 249768045US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Andrej Gregov

Application No.: 09/648,314

Confirmation No.: 6403

Filed: August 25, 2000

Art Unit: 2161

For: USER-DIRECTED PRODUCT  
RECOMMENDATIONS

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Examiner: E. P. Leroux

**APPEAL BRIEF**

MS Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the Notice of Appeal filed February 11, 2008, Appellant submits this Appeal Brief. The Appellant appeals the rejection of pending claims 15-16, 27-35, and 40-51, which were rejected in the Final Office Action mailed November 9, 2007.

This Appeal Brief is being filed in accordance with the rules of 37 C.F.R. § 41.37 and includes a Claims Appendix, an Evidence Appendix, and a Related Proceedings Appendix. The fees required under 37 C.F.R. § 41.20(b)(2), and any required petition for extension of time for filing this brief and fees therefor, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

The complete Table of Contents follows.

**TABLE OF CONTENTS**

I.	REAL PARTY IN INTEREST .....	1
II.	RELATED APPEALS, INTERFERENCES, AND JUDICIAL PROCEEDINGS .....	1
III.	STATUS OF THE CLAIMS .....	1
IV.	STATUS OF AMENDMENTS .....	1
V.	SUMMARY OF CLAIMED SUBJECT MATTER.....	1
VI.	GROUND OF REJECTION TO BE REVIEWED.....	4
VII.	ARGUMENTS.....	5
VIII.	CLAIMS APPENDIX .....	16
IX.	EVIDENCE APPENDIX .....	20
X.	RELATED PROCEEDINGS APPENDIX.....	21

I. REAL PARTY IN INTEREST

The real party in interest for this appeal is Amazon.com, Inc.

II. RELATED APPEALS, INTERFERENCES, AND JUDICIAL PROCEEDINGS

Appellant, Appellant's legal representative, and the assignee are not aware of any prior or pending appeals, interferences, or judicial proceedings that may be related to, directly affect, be directly affected by, or have a bearing on the Board's decision in this appeal.

III. STATUS OF THE CLAIMS

Claims 15-16, 27-35, and 40-51, as listed in the Claims Appendix, remain pending and are the subject of this Appeal.

Pending claims 15-16, 27-35, and 40-51 were rejected in the Final Office Action mailed November 9, 2007, and are the subject of this Appeal.

IV. STATUS OF AMENDMENTS

No amendments were made in response to the Final Office Action.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The present application includes three independent claims. Each independent claim is paraphrased below, with citations to corresponding portions of the specification and drawings in accordance with 37 C.F.R. § 41.37(c)(1)(v). These citations are provided to illustrate specific examples and embodiments of the recited claim language, and not to limit the claims. Furthermore, a citation to a specific paragraph or appendix in the following claim summaries should be treated as a citation to all lines of that paragraph or appendix.

Claims 15, 16, and 27 are independent claims. Before discussing each of the claims individually, Appellant has provided a brief overview.

A. Brief Overview

Appellant's disclosure describes an item recommendation system in which a user selects multiple seed items and receives a list of recommended items each generated

based on the multiple selected seed items. As recited in the claims, Appellant's disclosure allows a user to assemble a group of seed items that represents the type of items that the user is trying to find, such that each of the recommended items is automatically selected based on the entire set of seeds. For example, to generate recommendations about books relating to basic digital photography, the user may select as seed items two such books. In some embodiments, the recommendations provided by the system are not predicated on a user profile maintained on the user, so that the user can target recommendations to items of a particular type, without being diluted by other interests or purchases of the user. Specification, p. 3, paragraph 1. In some embodiments, the system allows the user to assemble a group of seed items by dragging a representation of the item to a seed selection area. In some embodiments, the system allows the user to remove one or more items from a group of seed items.

This item recommendation system is particularly well-suited and useful for online merchant enterprises. Users that go to a conventional online merchant's site often find that conventional recommendation systems have substantial shortcomings. In general, the list of items recommended by a particular recommendation service is fairly static, requiring the user to purchase a number of new items or update a survey about the user's interests to obtain new recommendations. Further, because conventional systems are based on the contents of a user profile, they are not particularly useful either to recommend gifts for others having different interests, or to recommend items to a user that are in a new area of interest to the user that is not reflected in the user's profile. Specification, p. 2, paragraph 1.

As is described in greater detail below, Appellant's item recommendation system allows a user to build a set of recommendation seeds dynamically and to receive recommendations based on the dynamic set of seeds. This allows the user to find items related to a new area of interest or based on the interests of a different person for which the user is buying, such as a gift recipient.

**B. Independent Claim 15**

Claim 15 is directed to a method in a computing system for generating item recommendations for a user, the method comprising:

- receiving requests from the user to display information 410 about each of a plurality of items 411, 412, and 413 (see, e.g., Figure 3, Figure 4, and Specification p. 6, paragraphs 3-4).
- selecting 205 as seed items the plurality of items 411, 412, and 413 that were displayed (see, e.g., Figure 2B and Specification p.5, paragraph 2).
- generating a list of recommended items 510-560 each based on the selected seed items (see, e.g., Figure 5 and Specification p. 6, paragraphs 5-6), wherein the generated list does not contain the selected seed items (see, e.g., Specification p.1, paragraph 5).
- displaying 205 the generated list of recommended items 510-560 to the user (see, e.g., Figure 2, Figure 5, Specification p. 5, paragraph 2, and Specification p. 6, paragraph 5).

**C. Independent Claim 16**

Claim 16 is directed to a method in a computing system for generating item recommendations for a user, the method comprising:

- displaying a plurality of item indications 710-750 to the user each indicating an item (see, e.g., Figure 7 and Specification p. 7, paragraphs 2-3).
- receiving input from the user comprising a selection 792 and 794 of each of a plurality of the displayed item indications 791 and 793 as seed items (see, e.g., Figure 7 and Specification p. 7, paragraph 2).
- generating a list of recommended items 510-560 each based on the selected seed items (see, e.g., Figure 5 and Specification p. 6, paragraphs 5-6), wherein the generated list does not contain the selected seed items (see, e.g., Specification p.1, paragraph 5).

- displaying 205 the generated list of recommended items 510-560 to the user (see, e.g., Figure 2, Figure 5, Specification p. 5, paragraph 2, and Specification p. 6, paragraph 5).

D. Independent Claim 27

Claim 27 is directed to a method in a computing system for specifying a request for product recommendations, the method comprising:

- for each of a plurality of groups of one or more products, displaying information 410 describing products in the group 411, 412, and 413 (see, e.g., Figure 3, Figure 4, and Specification p. 6, paragraphs 3-4).
- for each of at least a portion of the plurality of product groups, displaying in conjunction with the information describing products in the group a control 792 and 794 for selecting products in the group as recommendation seeds (see, e.g., Figure 7 and Specification p. 7, paragraph 2).
- when a displayed control 792 and 794 is selected by a user, adding to a list of recommendation seeds products in the group 791 and 793 in conjunction with which the selected control is displayed (see, e.g., Figure 7 and Specification p. 7, paragraph 2).
- so that the list of recommendation seeds 791 and 793 contains products in the groups whose controls are selected by the user and the list of recommendation seeds can be used to generate a list of recommended items 710-750 each based on the recommendation seeds that are selected, wherein the generated list does not contain the recommendation seeds that are selected (see, e.g., Figure 7 and Specification p. 7, paragraphs 2-3).

VI. GROUND OF REJECTION TO BE REVIEWED

A. The Examiner's Rejections

The Examiner has rejected all of the pending claims on the following bases:

1. The rejection of claims 15-16, 27-31, 45, and 48 under 35 U.S.C. § 102(e) as being anticipated by Bieganski (U.S. Patent No. 6,412,012).

2. The rejection of claims 32-34 under 35 U.S.C. § 103(a) as being unpatentable over Bieganski and Cluts (U.S. Patent No. 5,616,876).

3. The rejection of claims 40-42, 46-47, and 49 under 35 U.S.C. § 103(a) as being unpatentable over Bieganski and Chow (U.S. Patent No. 6,850,899).

4. The rejection of claims 43 and 50 under 35 U.S.C. § 103(a) as being unpatentable over Bieganski, Chow, and Cluts.

5. The rejection of claims 35 and 51 under 35 U.S.C. § 103(a) as being unpatentable over Bieganski and Nakajima (U.S. Patent No. 5,897,650).

6. The rejection of claim 44 under 35 U.S.C. § 103(a) as being unpatentable over Bieganski, Chow, and Nakajima.

For purposes of this appeal, Appellant will treat Bieganski, Cluts, Chow, and Nakajima as prior art. However, Appellant reserves the right to later disqualify one or more of these references as prior art.

Also, to the extent that Appellant declines to present argument herein with respect to some of the pending dependent claims, Appellant does not imply that the recited features added by such dependent claims are disclosed or suggested by the references relied upon in the Final Office Action.

## VII. ARGUMENTS

### A. Rejection of Claims 15-16, 27-31, 45, and 48 under 35 U.S.C. § 102(e)

The Final Office Action rejected claims 15-16, 27-31, 45, and 48 under 35 U.S.C. § 102(e) as being anticipated by Bieganski.

As an initial matter, Bieganski describes a system for ensuring that items in a previously generated recommendation set are compatible with a separate set of items,

such as a set of items in a shopping cart. Bieganski contains no description of how these recommendation sets are produced.

1. Independent Claim 15

Claim 15 is directed to a method in a computing system for generating item recommendations for a user. Claim 15 recites "generating a list of recommended items each based on the selected seed items." While Claim 15 differs from the Bieganski in a number of ways, Appellant would like to focus on the distinction of using of multiple seeds to produce item recommendations.

Bieganski starts with a previously generated recommendation set (see Fig. 2), and filters the recommendation set based on a shopping set (e.g., items currently in a shopping cart), a history set (e.g., items previously purchased), and item compatibility rules to produce a compatibility-modified recommendation set. Bieganski describes performing this filtering using substitute items and complement items specified by the item compatibility rules. Tofu and bacon are examples of substitute items because purchasers of one typically do not purchase the other. Eggs and cake mix are examples of complement items, because purchasers of cake mix typically also buy eggs. Items in the recommendation set that are substitutes for items in the shopping set may be weighted lower than other items in the recommendation set and in some cases removed from the recommendation set, whereas items in the recommendation set that are complements of items in the shopping set may be weighted higher.

There are two areas of Bieganski that the Examiner suggests are similar to the multiple seeds recited by Appellant. First, the Examiner suggests that the recommendation set itself is produced using multiple seeds. However, the background of Bieganski treats producing recommendation sets as prior art and does not provide enabling details about how the recommendation set is produced, and in particular, how any seed items are used. Bieganski assumes that the recommendation set is already available and created by another system: "[t]he present invention is applicable to recommendation

sets generated in all manners, including those recommendation sets generated by recommendation engines." Bieganski, col.6:9-12.

Second, the Examiner suggests that the secondary sets of information (e.g., the shopping or history sets) used by Bieganski to filter out incompatible recommendation items constitute multiple seed items used to produce recommendations. However, Bieganski generally uses items in the secondary set to exclude items already in the recommendation set from being displayed to the user, "[a] compatibility-modified recommendation set may exclude items [from the original recommendation set] that would be recommended without compatibility information." Bieganski, col. 6:17-19. In these circumstances, Bieganski does not use these secondary sets of items to find additional items to recommend to the user. Therefore, these secondary sets of items are not seed items. When Bieganski does add additional items to the compatibility-modified recommendation set, it does so only to add items that were not found by any previous process used to create the recommendation set, "[a] compatibility-modified recommendation set...may recommend items that would not have been recommended without compatibility information." Bieganski, col. 6:19-21. These additional items are based on one or more recommended complements that are each associated with only a single item (e.g., eggs are associated with cake mix) as described above. Therefore, these types of recommendations involve recommending one or more items based on at most a single seed.

In contrast, Appellant's disclosure describes an item recommendation system in which a user selects multiple seed items and receives a list of recommended items each generated based on the multiple selected seed items. As recited in the claims, Appellant's disclosure allows a user to assemble a group of seed items that represents the type of items that the user is trying to find, such that each of the recommended items is automatically selected based on the entire set of seeds. Each of Appellant's claims recites producing recommended items each based on multiple seed items selected by a user. Claim 15 recites "generating a list of recommended items each based on the selected

seed items." Bieganski does not describe producing recommended items each based on multiple seed items.

Neither of the above-described portions of Bieganski describes producing recommended items each based on multiple seed items as recited by claim 15. Accordingly, Appellant respectfully submits that Claim 15 is patentable over Bieganski and requests that this rejection be reversed.

2. Dependent Claim 45

Claim 45 depends from Claim 15 and is not anticipated by Bieganski for at least the same reasons as provided above for Claim 15.

3. Independent Claim 16

Although Claim 16 has different language than Claim 15, the recited features are similar and thus, Claim 16 is believed to be patentable for similar reasons as discussed above for Claim 16. In particular, Claim 16 recites "generating a list of recommended items each based on the selected seed items." As discussed above, this element is not taught by Bieganski. Accordingly, Appellant respectfully requests that this rejection be reversed.

In addition, Claim 16 recites "receiving input from the user comprising a selection of each of a plurality of the displayed item indications as seed items." Bieganski does not describe displaying item indications or receiving a selection of item indications as seed items. The Final Office Action does not identify a portion of Bieganski that discloses this recited feature. Office Action, November 9, 2007, p. 2. Instead, the Final Office Action quotes only from Claim 15 and provides sections of Bieganski asserted to correspond to Claim 15. Appellant can find no corresponding description in Bieganski regarding displaying item indications for selecting multiple seed items. Accordingly, Appellant respectfully requests that this rejection be reversed for at least this additional reason.

4. Dependent Claim 48

Claim 48 depends from Claim 16 and is not anticipated by Bieganski for at least the same reasons as provided above for Claim 16.

5. Independent Claim 27

Although Claim 27 has different language than Claim 15, the recited features are similar and thus, Claim 27 is believed to be patentable for similar reasons as provided above for Claim 15. In particular, Claim 27 recites "the list of recommendation seeds can be used to generate a list of recommended items each based on the recommendation seeds that are selected." As discussed above, this element is not taught by Bieganski. Accordingly, Appellant respectfully requests that this rejection be reversed.

6. Dependent Claims 28-31

Claims 28-31 depend from Claim 27 and is not anticipated by Bieganski for at least the same reasons as provided above for Claim 27.

B. Rejection of Claims 32-34 under 35 U.S.C. § 103(a)

The Final Office Action rejected claims 32-34 under 35 U.S.C. § 103(a) as being unpatentable over Bieganski and Cluts.

Cluts describes a music-on-demand system in which a user selects songs on a network to add to a playlist of songs to be played. One function of Cluts allows a user to select a "more" button to add songs to the user's playlist that are similar to the currently playing song. Cluts is specifically limited to using a single selected song as a seed for finding recommended songs: "the present invention provides systems and methods for using a seed song (e.g., the current song) to add new songs to a playlist." Cluts, col.14:13-16 (emphasis added). Accordingly, Cluts fails to teach or suggest using multiple items selected by a user as seeds or using multiple seeds to generate recommendations.

1. Dependent Claims 32-34

Claims 32-34 depend from Claim 27 and are patentable over Bieganski for at least the same reasons as provided above for Claim 27.

Cluts is relied upon in the Final Office Action for teaching that one of the recommended products is a single artist. Like Bieganski, Cluts does not teach or suggest producing recommended items each based on multiple seed items. Accordingly, Appellant

respectfully submits that Claims 32-34 are patentable over the combination of Bieganski and Cluts and requests that this rejection be reversed.

C. Rejection of Claims 40-42, 46-47, and 49 under 35 U.S.C. § 103(a)

The Final Office Action rejected claims 40-42, 46-47, and 49 under 35 U.S.C. § 103(a) as being unpatentable over Bieganski and Chow.

1. Dependent Claims 40-42

Claims 40-42 depend from Claim 15 and are patentable over Bieganski for at least the same reasons as provided above for Claim 15.

Chow is relied upon in the Final Office Action for teaching the removal of an item as a seed based on a user request. Like Bieganski, Chow does not teach or suggest producing recommended items each based on multiple seed items. Accordingly, Appellant respectfully submits that Claims 40-42 are patentable over the combination of Bieganski and Chow and requests that this rejection be reversed.

In addition, Chow fails to show the removal of an item as a seed for generating recommendations. The Final Office Action refers to Figure 3, which illustrates a traditional shopping cart with a remove item button. There is no teaching or suggestion in Chow of seed items or that any of the items in the shopping cart are seed items for an item recommendation process. Bieganski already teaches a shopping set containing items in a shopping cart, so the combination of Bieganski and Chow provides no new teaching relevant to Appellant's claims. As discussed above, item recommendations in Bieganski are performed on an item-by-item basis, with a single item acting as a seed. If an item were removed from the shopping cart of Bieganski, the recommendations based on that item would be removed. In contrast, Appellant's technology recommends items each based on multiple seeds. If one of the seed items is removed, there will still be recommendations based on the remaining items and the character of the recommended items may change based on the reduced number of seed items. Thus, the combination of Bieganski and Chow fails to show the removal of an item as a seed for generating recommendations. Accordingly, Appellant respectfully submits that Claims 40-42 are

patentable over the combination of Bieganski and Chow for this additional reason and requests that this rejection be reversed.

2. Dependent Claims 46-47 and 49

Claims 46-47 and 49 depend from Claim 16 and are patentable over Bieganski for at least the same reasons as provided above for Claim 16.

Chow is relied upon in the Final Office Action for teaching the removal of an item as a seed based on a user request. Like Bieganski, Chow does not teach or suggest producing recommended items each based on multiple seed items. In addition, Claims 46 and 49 recite similar language to Claims 40-42, and as discussed above with respect to Claims 40-42 the combination of Bieganski and Chow fails to teach removing an item as a seed.

Accordingly, Appellant respectfully submits that Claims 46-47 and 49 are patentable over the combination of Bieganski and Chow and requests that this rejection be reversed.

D. Rejection of Claims 43 and 50 under 35 U.S.C. § 103(a)

The Final Office Action rejected claims 43 and 50 under 35 U.S.C. § 103(a) as being unpatentable over Bieganski, Chow, and Cluts.

1. Dependent Claim 43

Claim 43 depends from Claim 15 and is patentable over Bieganski for at least the same reasons as provided above for Claim 15.

Chow is relied upon in the Final Office Action for teaching the removal of an item as a seed based on a user request. Like Bieganski, Chow does not teach or suggest producing recommended items each based on multiple seed items. In addition, Claim 43 recites similar language as Claims 40-42, and as discussed above with respect to Claims 40-42 the combination of Bieganski and Chow fails to teach removing an item as a seed. Cluts also does not teach or suggest removing an item as a seed.

Cluts is relied upon in the Final Office Action for teaching that one of the recommended products is a single artist. Like Bieganski, Cluts does not teach or suggest producing recommended items each based on multiple seed items.

Accordingly, Appellant respectfully submits that Claim 43 is patentable over the combination of Bieganski, Chow, and Cluts and requests that this rejection be reversed.

2. Dependent Claim 50

Claim 50 depends from Claim 16 and is patentable over Bieganski for at least the same reasons as provided above for Claim 16.

Chow is relied upon in the Final Office Action for teaching the removal of an item as a seed based on a user request. Like Bieganski, Chow does not teach or suggest producing recommended items each based on multiple seed items. In addition, Claim 50 recites similar language as Claims 40-42, and as discussed above with respect to Claims 40-42 the combination of Bieganski and Chow fails to teach removing an item as a seed. Cluts also does not teach or suggest removing an item as a seed.

Cluts is relied upon in the Final Office Action for teaching that one of the recommended products is a single artist. Like Bieganski, Cluts does not teach or suggest producing recommended items each based on multiple seed items.

Accordingly, Appellant respectfully submits that Claim 50 is patentable over the combination of Bieganski, Chow, and Cluts and requests that this rejection be reversed.

E. Rejection of Claims 35 and 51 under 35 U.S.C. § 103(a)

The Final Office Action rejected claims 35 and 51 under 35 U.S.C. § 103(a) as being unpatentable over Bieganski and Nakajima.

Nakajima describes a document scrap system in which a user selects a portion of a document to create a document scrap for incorporation into other documents. When a user selects a single portion of a document and drags that portion to the desktop, a document scrap is created. When the user drags the document scrap into another document, the originally selected portion of the first document is inserted into the second

document. Nakajima contains no teaching of item recommendations. Accordingly, Nakajima fails to teach or suggest using multiple selected items as seeds or using multiple seeds to generate recommendations.

1. Dependent Claim 35

Claim 35 depends from Claim 27 and is patentable over Bieganski for at least the same reasons as provided above for Claim 27.

Nakajima is relied upon in the Final Office Action for teaching that a displayed control is draggable. Like Bieganski, Nakajima does not teach or suggest producing recommended items each based on multiple seed items. Accordingly, Appellant respectfully submits that Claim 35 is patentable over the combination of Bieganski and Nakajima and requests that this rejection be reversed.

In addition, claim 35 recites "the control displayed for a distinguished product group is a draggable portion of the information describing the product group, together with a destination region." Nakajima describes a document scrap system in which a user selects a portion of a document to create a document scrap for incorporation into other documents. It is unclear how it would be possible to combine the system of Nakajima with Bieganski to produce the aspects of Appellant's technology described by this claim. Bieganski does not describe dragging at all, and Nakajima only describes dragging portions of documents to the desktop for later reuse in other documents. The control recited by Appellant's claims is for selecting recommendation seeds. There is no teaching or suggestion within either Bieganski or Nakajima to combine these references in any way, much less to produce Appellant's claimed invention. Accordingly, Appellant respectfully requests that these rejections be reversed for this additional reason.

2. Dependent Claim 51

Claim 51 depends from Claim 16 and is patentable over Bieganski for at least the same reasons as provided above for Claim 16.

Nakajima is relied upon in the Final Office Action for teaching that a displayed control is draggable. Like Bieganski, Nakajima does not teach or suggest producing

recommended items each based on multiple seed items. Accordingly, Appellant respectfully submits that Claim 51 is patentable over the combination of Bieganski and Nakajima and requests that this rejection be reversed.

In addition, although Claim 51 has different language than Claim 35, the recited features are similar and thus, Claim 51 is believed to be patentable for similar reasons as discussed above for Claim 35. In particular, Claim 51 recites "the control is a draggable representation of the item together with a destination region, and wherein the control is selected by the user by dragging the draggable representation of the item to the destination region." As discussed above, there is no teaching or suggestion within either Bieganski or Nakajima to combine these references in any way, much less to produce Appellant's claimed invention. Accordingly, Appellant respectfully requests that this rejection be reversed for this additional reason.

F. Rejection of Claim 44 under 35 U.S.C. § 103(a)

The Final Office Action rejected claim 44 under 35 U.S.C. § 103(a) as being unpatentable over Bieganski, Chow, and Nakajima.

1. Dependent Claim 44

Claim 44 depends from Claim 15 and is patentable over Bieganski for at least the same reasons as provided above for Claim 15.

Chow is relied upon in the Final Office Action for teaching the removal of an item as a seed based on a user request. Like Bieganski, Chow does not teach or suggest producing recommended items each based on multiple seed items. In addition, Claim 44 recites similar language as Claims 40-42, and as discussed above with respect to Claims 40-42 the combination of Bieganski and Chow fails to teach removing an item as a seed. Nakajima also does not teach or suggest removing an item as a seed.

Nakajima is relied upon in the Final Office Action for teaching that a displayed control is draggable. Like Bieganski, Nakajima does not teach or suggest producing recommended items each based on multiple seed items.


Accordingly, Appellant respectfully submits that Claim 44 is patentable over the combination of Bieganski, Chow, and Nakajima and requests that this rejection be reversed.

In addition, although Claim 44 has different language than Claim 35, the recited features are similar and thus, Claim 44 is believed to be patentable for similar reasons as discussed above for Claim 35. In particular, Claim 44 recites "the control is a draggable representation of the item together with a destination region, and wherein the control is selected by the user by dragging the draggable representation of the item to the destination region." As discussed above, there is no teaching or suggestion within either Bieganski or Nakajima to combine these references in any way, much less to produce Appellant's claimed invention. Chow also fails to teach or suggest dragging item representations. Accordingly, Appellant respectfully requests that this rejection be reversed for this additional reason.

## G. Conclusion

In view of the foregoing arguments distinguishing Claims 15-16, 27-35, and 40-51 over the art of record, Appellant respectfully requests that the rejection of these claims be reversed. Also, although arguments have been made, no acquiescence or estoppel is or should be implied thereby. Please charge any deficiencies, or credit any overpayment, to our Deposit Account No. 50-0665, under Order No. 249768065US1 from which the undersigned is authorized to draw.

Dated: 3/18/08

Respectfully submitted,  
By   
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VIII. CLAIMS APPENDIX

1-14. (Cancelled)

15. A method in a computing system for generating item recommendations for a user, comprising:

receiving requests from the user to display information about each of a plurality of items;  
selecting as seed items the plurality of items that were displayed;  
generating a list of recommended items each based on the selected seed items, wherein the generated list does not contain the selected seed items; and  
displaying the generated list of recommended items to the user.

16. A method in a computing system for generating item recommendations for a user, the user having a persistent user profile, comprising:

displaying a plurality of item indications to the user each indicating an item;  
receiving input from the user comprising a selection of each of a plurality of the displayed item indications as seed items;  
generating a list of recommended items each based on the selected seed items, wherein the generated list does not contain the selected seed items; and  
displaying the generated list of recommended items to the user.

17-26. (Cancelled)

27. A method in a computing system for specifying a request for product recommendations, comprising:

for each of a plurality of groups of one or more products, displaying information describing products in the group;

for each of at least a portion of the plurality of product groups, displaying in conjunction with the information describing products in the group a control for selecting products in the group as recommendation seeds; and  
when a displayed control is selected by a user, adding to a list of recommendation seeds products in the group in conjunction with which the selected control is displayed,  
so that the list of recommendation seeds contains products in the groups whose controls are selected by the user and the list of recommendation seeds can be used to generate a list of recommended items each based on the recommendation seeds that are selected, wherein the generated list does not contain the recommendation seeds that are selected.

28. The method of claim 27, further comprising generating a product recommendation based upon the list of recommendation seeds.

29. The method of claim 27 wherein the information displayed for a distinguished one of the product groups describes a product category containing products in the distinguished group.

30. The method of claim 27 wherein the information displayed for a distinguished one of the product groups describes a product genre containing products in the distinguished group.

31. The method of claim 27 wherein a distinguished one of the product groups comprises a single product, and wherein the information displayed for the distinguished product group describes the product that comprises the product group.

32. The method of claim 27 wherein a distinguished one of the product groups comprises products that are recordings of a single artist, and wherein the information displayed for the distinguished product group describes the artist.

33. The method of claim 27 wherein a distinguished one of the product groups comprises products that are books written by a single author, and wherein the information displayed for the distinguished product group describes the author.

34. The method of claim 27 wherein the control displayed for a distinguished product group is a button that is selected by the user by clicking the button.

35. The method of claim 27 wherein the control displayed for a distinguished product group is a draggable portion of the information describing the product group, together with a destination region, and wherein the control displayed for the distinguished product group is selected by the user by dragging the draggable portion of the information describing the product group to the destination region.

36-39. (Cancelled)

40. The method of claim 15 further comprising removing an item from the plurality of items selected as seed items in response to a request from the user.

41. The method of claim 15 further comprising adding an item to the plurality of items selected as seed items in response to a request from the user.

42. The method of claim 15 further comprising displaying a control for removing items from the plurality of items selected as seed items.

43. The method of claim 42 wherein the control is a button that is selected by the user clicking the button.

44. The method of claim 42 wherein the control is a draggable representation of the item together with a destination region, and wherein the control is selected by the user by dragging the draggable representation of the item to the destination region.

45. The method of claim 15 wherein all of the received requests are received during a distinguished browsing session.

46. The method of claim 16 further comprising removing an item from the plurality of items selected as seed items in response to a request from the user.

47. The method of claim 16 further comprising adding an item to the plurality of items selected as seed items in response to a request from the user.

48. The method of claim 16 wherein the received input explicitly comprises a selection of each of a plurality of the displayed item indications as seed items.

49. The method of claim 16 further comprising displaying a control for removing items from the plurality of items selected as seed items.

50. The method of claim 49 wherein the control is a button that is selected by the user clicking the button.

51. The method of claim 49 wherein the control is a draggable representation of the item together with a destination region, and wherein the control is selected by the user by dragging the draggable representation of the item to the destination region.

IX. EVIDENCE APPENDIX

None.

X. RELATED PROCEEDINGS APPENDIX

None.